

REMARKS

Applicant acknowledges the Examiner's request for a supplemental paper amending the reissue application as required by 37 CFR 1.173(b). Applicant has included Appendices A and B that reflect the amendments made in the response dated February 27, 2003 in a manner that complies with 37 CFR 1.173(b). Appendix C depicts the current amendments to claims 92 and 93.

The Examiner has rejected claims 1-19, 21-71, 73-99, and 102-110 under 35 USC 251 as being based on a defective reissue declaration.

Applicant has cancelled claims 19, 21-51, 71, 73-87, 94-99, 102-110 by the current amendment, leaving claims 1-18, 52-70, and 88-93 pending, which, except for the current amendments to claims 92 and 93, have not been amended since the filing of the reissue declaration on April 19, 2000. The current amendments to claims 92 and 93 merely correct typographical and antecedent basis errors, which are not errors under 35 USC 251, and therefore do not necessitate a new reissue declaration. See MPEP 1414.01.

Accordingly, the rejection should be withdrawn.

Applicant submits that all claims are in condition for allowance.

The fees in the amount of \$1020.00 are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050.

Applicant : DiPoto et al.  
Serial No. : 09/447,228  
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Page : 4 of 11

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Respectfully submitted,

Date: \_\_\_\_\_

6/5/06



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